

**CHAPTER NO. 85**

**HOUSE BILL NO. 2856**

**By Representatives Shaw, Gresham**

**Substituted for: Senate Bill No. 2832**

**By Mr. Speaker Wilder**

AN ACT to amend Chapter 280 of the Acts of 1901; as amended by Chapter 276 of the Private Acts of 1980; and any other acts amendatory thereto, relative to persons removed from office in the town of Whiteville.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 8 of Chapter 276 of the Private Acts of 1980, as amended by Chapter 280 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by deleting the following language:

Two-thirds (2/3) of the aldermen voting to concur may expel a member, including the mayor, for misconduct in office.

and by substituting instead the following language:

Two-thirds (2/3) of the aldermen voting to concur may cause ouster proceedings to be initiated against a member, including the mayor, for misconduct in office, in accordance with the provisions of Tennessee Code Annotated, Title 8, Chapter 47. Any member who is discharged from the member's position for misconduct or removed from office in accordance with the general law ouster provisions or pursuant to Tennessee Code Annotated, Section 39-16-406, or who resigns for misconduct in the member's office, shall be removed from office for the duration of the term for which the member was elected or appointed and shall be barred from holding any appointed or elected city office for twelve (12) years following the term for which the member was elected or appointed.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the town of Whiteville. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

**PASSED: March 30, 2006**

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 10<sup>th</sup> day of April 2006**

  
PHIL BREDESEN, GOVERNOR